

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	Case No. 1:17-cr-00224-AT-CMS
)	
ALLEN J. PENDERGRASS,)	
Defendant.)	
_____)	

**DEFENDANT’S MOTION FOR EXTENSION OF TIME TO FILE
MOTIONS AND TO CONTINUE THE PRETRIAL CONFERENCE**

COMES NOW ALLEN J. PENDERGRASS, by and through his counsel of record, and hereby files this motion for extension of time to file pretrial motions and respectfully show as follows:

1. Defendant’s pretrial motions are currently due on September 3, 2019. His pretrial conference is set for September 6, 2019.
2. At the previous pre-trial conference/status conference, counsel for Mr. Pendergrass notified the Court that she was waiting for a hard drive provided by the government to be converted into readable files. Counsel retained Jim Persinger to convert the files. Mr. Persinger delivered the files to counsel on Tuesday, July 30th.
3. Mr. Pendergrass and counsel have begun reviewing the files on the drive, but some of the files will not open and the ones that will open are

voluminous. Counsel and Mr. Pendergrass are continuing to review the discovery in the case, which require careful review by both counsel and Mr. Pendergrass.

4. Further, Mr. Pendergrass' brother recently passed away and Mr. Pendergrass has been dealing with the arrangements and other mental and emotional issues associated with his death, which has made continual discovery review difficult.
5. Therefore, Defendant requests a 30-day continuance of the pretrial motions deadline.
6. For all of the same reasons, counsel requests that the pretrial conference be continued to a date and time convenient to the Court.
7. Counsel consulted with Assistant United States Attorney Jeff Brown, who has no objection to these requests.
8. Counsel requests that the time of the extension to file motions and complete the pretrial conference be excluded under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7).

Respectfully submitted this 30th of August 2019.

s/Saraliene S. Durrett
SARALIENE S. DURRETT
1800 Peachtree Street, NE
Suite 300
Atlanta, GA 30309
(404) 433-0855

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date electronically filed the foregoing motion to continue with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to the following attorney(s) of record:

All Defense Counsel

All AUSAs of record

Respectfully submitted this 30th day of August 2019.

Respectfully submitted,

s/Saraliene S. Durrett
SARALIENE S. DURRETT
1800 Peachtree Street, NE
Suite 300
Atlanta, GA 30309
(404) 433-0855
ssd@defendingatl.com